

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

SEP 25 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: TATE DAVID  
PROWS; BENJAMIN BLANCHARD.

TATE DAVID PROWS and BENJAMIN  
BLANCHARD,

Petitioners.

v.

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF  
WASHINGTON, SEATTLE,

Respondent.

No. 24-5056

D.C. Nos.

2:24-mc-00043-JNW

2:24-cv-1110-JNW

Western District of Washington,  
Seattle

ORDER

Before: CHRISTEN, OWENS, and BRESS, Circuit Judges.

The district court dismissed the petition for writ of habeas corpus in case No. 2:24-mc-00043 on August 30, 2024. Accordingly, this petition is denied as moot with respect to case No. 24-mc-00043.

With respect to any delay in case No. 2:24-cv-1110, petitioners have not demonstrated a clear and indisputable right to the extraordinary remedy of mandamus. *See In re Mersho*, 6 F.4th 891, 897 (9th Cir. 2021) (“To determine whether a writ of mandamus should be granted, we weigh the five factors outlined in *Bauman v. United States District Court*.”); *Bauman v. U.S. Dist. Court*, 557 F.2d

650 (9th Cir. 1977). Accordingly, the petition is denied.

No further filings will be entertained in this closed case.

**DENIED.**